

AFFIDAVIT

1. **Affiant/Agent.** I, Kirby Fleck, am a Deportation Officer with Immigration and Customs Enforcement (ICE), assigned to the Grand Forks, North Dakota Enforcement and Removal Operations (ERO) Office. I have been employed as a Deportation Officer since November 9, 2008.
2. **Arrest and Investigation of Hugo Armando BONILLA-Ramirez.** On November 3, 2024, BONILLA was arrested in Grand Forks, North Dakota for driving under the influence by the Grand Forks Police Department. On November 3, 2024, BONILLA was booked into the Grand Forks County Correctional in Grand Forks, North Dakota for the pending driving under the influence charge.

While performing Criminal Apprehension Program duties on November 4, 2024, ERO Officer Lee observed BONILLA was on the Grand Forks County Correctional Center booking log. The booking log indicated BONILLA was not born in the United States. Officer Lee requested a photocopy of BONILLA's fingerprints. On or about November 4, 2024, Officer Lee submitted BONILLA's fingerprints through the IDENT/NGI, a computerized fingerprint identification system. The IDENT results revealed BONILLA is a match to Alien Registration Number AXXX XXX 044 and was removed from the United States to Mexico on two separate occasions. The NGI results revealed BONILLA is a match to FBI XXXXXXAH7. Further service records confirmed BONILLA is a citizen of Mexico.

On November 4, 2024, while BONILLA was at the Grand Forks County Correctional Center, ERO Officer LEE conducted an immigration inspection with BONILLA in the Spanish language. BONILLA stated he was born in Mexico and is a citizen of Mexico. BONILLA stated he illegally entered the United States at an unknown date and location. On November 4, 2024, ERO Officer Lee served a Warrant for Arrest of Alien (form I-200) on BONILLA.

On November 4, 2024, ERO Officer Lee placed a DHS I-247 detainer with the Grand Forks County Correctional Center. On November 4, 2024, BONIILLA was sentenced to time served and turned over to ERO custody.

3. **Administrative Processing/ Miranda Warning / Consular Notification.** On November 6, 2024, while at the ICE ERO Grand Forks, North Dakota Office, ERO Officer Wederquist notified BONILLA of his Miranda Rights, using a telephonic Spanish interpreter, and provided BONILLA a written Miranda Rights form in the Spanish Language. On November 6, 2024, BONILLA contacted the Consulate of Mexico

On November 6, 2024, after providing notice of the Miranda Rights, Officer Wederquist attempted to conduct a sworn statement with BONILLA at the Grand Forks, North Dakota

ICE ERO Office. BONILLA declined to answer questions without an attorney. During administrative processing at the ICE ERO Office, BONILLA's Mexican Consulate Identity Card (Matricula Card) was observed in BONILLA's possession. Officer Wederquist served a Notice of Intent/Decision to Reinstate Prior Order (form I-871)

Once again on November 6, 2024, BONILLA's fingerprints were submitted through IDENT/NGI. The IDENT results, Enforcement and Removal Module databases, and the Alien Registration File revealed the below removals.

- a.) On October 13, 2014, the United States Border Patrol in Yuma, Arizona issued BONILLA a Notice and Order of Expediated Removal. On October 14, 2014, BONILLA was removed from the United States to Mexico at the San Luis, Arizona Port of Entry.
- b.) On October 30, 2015, United States Border Patrol in Indio, California issued BONILLA a Notice of Intent/ Decision to Reinstate Prior Order. On October 30, 2015, BONILLA was removed from the United States to Mexico at the Calexico, California Port of Entry.


No records could be found that indicate BONILLA has ever applied for or been granted permission to re-enter the United States by the Attorney General, or his successor, the Secretary of the Department of Homeland Security.

4. Criminal History. A review of the Grand Forks County (North Dakota) District Court records revealed the following criminal convictions:

- a.) On November 4th, 2024, BONILLA was convicted in Grand Forks Municipal Court at Grand Forks, North Dakota for Driving Under the Influence. BONILLA was sentenced to two days' time served.

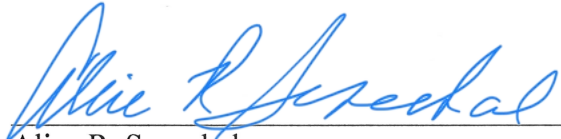
In my experience, the above facts constitute a violation of 8 U.S.C. § 1326(a).

The foregoing is true and correct to the best of my knowledge and belief.

Handwritten signature of Kirby Fleck in blue ink, with the number 7430 written to the right.

Kirby Fleck
Deportation Officer

Sworn before me this 7th day of November 2024, in Grand Forks and Fargo, North Dakota, by reliable electronic means.

Handwritten signature of Alice R. Senechal in blue ink.

Alice R. Senechal
United States Magistrate Judge